IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Summons for Judgment No.426 of 2004
in
Sum Suit No.ll98 of 2004

Bobcards Limited ...Plaintiff
vs
Dr Nandu Chhabria.....Defendant

Mr Iqbal Panjwani for plaintiff
Mr Sachin Dhakephalkaf for defendant

CORAM: S.U.KAMDAR J.
Dated 5.l0.2005

P.C:

l. The summons for judgement has been duly served on the defendant.No affidavit in reply has been filed. The summons for judgement is filed on the basis of the claim arising out of credit card issued by the plaintiff pursuant to an application made by the defendant. The credit card bearing No.5473 44l6 0l72 0009 has been used by the defendant including withdrawal of the cash. In the aforesaid circumstances, the present suit has been filed for recovery of a sum of Rs.l,25,04l.26 with further interest on the principal amount of Rs.47,82l.79 at the rate of l2% p.a. simple rate of interest. Plaintiff tenders a compilation of original documents which is taken on record and marked Exh P-l colly. In view of the fact that no affidavit in reply is filed, though the summons for

judgment is served on the defendant, I pass the following decree.

> There shall be a decree in favour of the plaintiff and against the defendant in the sum of Rs.l,25,04l.26 alongwith interest on the principal amount of Rs.47,82l.79 at the rate of Rs.l2% p.a at simple rate of interest.Refund of court fee as per rules.

2. Suit as well as the summons for judgment disposed of accordingly.